

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

NORTHERN District of NEW YORK

BRANDON HANKS, AND OTHER SIMILARLY
SITUATED INDIVIDUALS,

Plaintiff(s)

v.

Civil Action No. 5:21-cv-00921

CITY OF SYRACUSE, KENTON BUCKNER, IN)
HIS INDIVIDUAL CAPACITY; DEPUTY CHIEF)
RICHARD TRUDELL, IN HIS INDIVIDUAL)
CAPACITY; DEPUTY CHIEF JOSEPH CECILE, IN)
HIS INDIVIDUAL CAPACITY; POLICE)
OFFICERS, CAPTAIN TIMOTHY GAY, IN HIS)
INDIVIDUAL CAPACITY; COLIN HILLMAN, IN)
HIS INDIVIDUAL CAPACITY; DEREK)
MCGORK, IN HIS INDIVIDUAL CAPACITY;)
WILLIAM KITTELL, IN HIS INDIVIDUAL)
CAPACITY; ANOTHONY FIORINI, IN HIS)
INDIVIDUAL CAPACITY; DAVID METZ, IN HIS)
INDIVIDUAL CAPACITY; SHAWN HAUCK, IN)
HIS INDIVIDUAL CAPACITY; SUSAN IZZO, IN)
HER INDIVIDUAL CAPACITY; ANN CLARK, IN)
HER INDIVIDUAL CAPACITY; BRANDON)
FOUGNIER, IN HIS INDIVIDUAL CAPACITY;

and Does 1-100;

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

DEREK MCGORK
511 S. STATE STREET
SYRACUSE, NY 13202

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

LAW OFFICES OF BONNER & BONNER
475 GATE FIVE ROAD, SUITE 211
SAUSALITO, CA 94965

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 5:21-cv-00921

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: